



Regional Framework Examples

New Hampshire State Code language- regarding regional planning. Regional plan requirements/ framework discussed in sections II & III.

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 36

REGIONAL PLANNING COMMISSIONS

Regional Planning Commissions

Section 36:47

36:47 General Powers and Duties. –

I. A regional planning commission's powers shall be advisory, and shall generally pertain to the development of the region within its jurisdiction as a whole. Nothing in this subdivision shall be deemed to reduce or limit any of the powers, duties or obligations of planning boards in individual municipalities. The area of jurisdiction of a regional planning commission shall include the areas of the respective municipalities within the delineated planning region. It shall be the duty of a regional planning commission to prepare a comprehensive master plan for the development of the region within its jurisdiction, including the commission's recommendations, among other things, for the use of land within the region; for the general location, extent, type of use, and character of highways, major streets, intersections, parking lots, railroads, aircraft landing areas, waterways and bridges, and other means of transportation, communication, and other purposes; for the development, extent, and general location of parks, playgrounds, shore front developments, parkways, and other public reservations and recreation areas; for the location, type, and character of public buildings, schools, community centers, and other public property; and for the improvement, redevelopment, rehabilitation, or conservation of residential, business, industrial and other areas; including the development of programs for the modernization and coordination of buildings, housing, zoning and subdivision regulations of municipalities and their enforcement on a coordinated and unified basis. A regional planning commission may authorize its employees or consultants to render assistance on local planning problems to any municipality or county which is not a member of said regional planning commission. The cost of such assistance shall be paid entirely by the municipality or county to which the service is rendered or partly by said municipality or county and partly by any gift, grant, or contribution which may be available for such work or by combination thereof. Said commission shall keep a strict account of the cost of such assistance and shall provide such municipality or county with an itemized statement.

II. For the purpose of assisting municipalities in complying with RSA 674:2, III(I), each regional planning commission shall compile a regional housing needs assessment, which shall include an assessment of the regional need for housing for persons and families of all levels of income. The regional housing needs assessment shall be updated every 5 years and made available to all municipalities in the planning region.

III. In preparing a comprehensive plan for the development of the region within its jurisdiction, each regional planning commission may use the framework for the state's comprehensive development plan in RSA 9-A:1, III as the basis for its plan. Such plan shall be updated every 5 years or sooner if desired by the regional planning commission. Prior to its adoption, the plan shall be distributed to every library, planning board, and board of selectmen/aldermen/city council in each of the communities within the region, and to the office of energy and planning. The regional planning commission shall address in writing all comments received prior to the publication of a final draft. A public hearing shall be held by the regional planning commission with 30 days' notice published in all newspapers of general circulation in the region, and shall state where the document can be viewed, the time and place of the public hearing, and shall allow for written comments. For each regional plan, the office of energy and planning shall offer comments as to its consistency with the state plan. The first regional development plans affected by this statute shall be adopted within 5 years of the effective date of this paragraph and renewed at least every 5 years thereafter.

IV. Regional planning commissions shall make a good faith effort to inform and respond to their local communities regarding the purposes and progress of their work in developing the regional development plan.

Source. 1969, 324:1. 1988, 270:2, eff. July 1, 1988. 2002, 178:6, eff. July 14, 2002; 229:8, eff. July 1, 2002. 2003, 319:9, eff. July 1, 2003. 2004, 257:44, eff. July 1,

**From New Hampshire- Framework for the State's Comprehensive Development plan.
Regional plans may follow this framework as well.**

Can be found at:

http://www.nh.gov/oep/programs/MRPA/conferences/documents/sdp_outline.pdf

NEW HAMPSHIRE STATE DEVELOPMENT PLAN (RSA 9-A) *Outline*

Purpose

1. Establish state policy on issues related to development of land and resources
2. Propose new or expanded programs to implement such policies.
3. Provide a basis for identifying critical issues facing the state, determining state priorities, allocating limited state resources, and taking into account the plans of various state, regional, and local governmental units.
4. Establish policies in areas related to the orderly physical, social, and economic growth and development of the state.
5. Serve as the basis for policy and program development by the various departments of state government. State agencies shall develop plans that are consistent with the policies and priorities established in the comprehensive development plan.

Underlying Theme: Maximize Smart Growth. Each topical section should specifically relate to smart growth principles identified in *Achieving Smart Growth in New Hampshire*.

Topical Sections

1. **Vision:** Serves as the direction for the other sections of the plan.
- a. **Statements** that articulate the desires of the public relative to the future.
 - *Economic opportunity*—freedom to excel in all geographic areas and in a variety of fields (but not necessarily all fields in all places); promotion of an entrepreneurial spirit
 - *Choice*—freedom to live in a city, a village, or the woods
 - *Livability*—keeping the best of what makes NH the best
- b. **Guiding principles and priorities** to implement that vision, with special emphasis on maximizing the smart growth principles in RSA 9-B.
Smart growth principles
 - Maintain **traditional compact settlement patterns** to efficiently use land, resources and infrastructure investments.
 - Foster the **traditional character** of New Hampshire downtowns, villages, and neighborhoods by encouraging a **human scale** of development that is comfortable for pedestrians and conducive to community life.
 - Incorporate a **mix of uses** to provide variety of housing, employment, shopping, services and social opportunities for all members of the community.
 - Preserve New Hampshire's **working landscape** by sustaining farm and forest land and other rural resource lands to maintain contiguous tracts of open land and to minimize land use conflicts.

- Provide choices and safety in transportation to create **livable, walkable communities** that increase accessibility for people of all ages, whether on foot, bicycle, or in motor vehicles.
- Protect **environmental quality** by minimizing impacts from human activities and planning for and maintaining natural areas that contribute to the health and quality of life of communities and people in New Hampshire.
- **Involve the community** in planning and implementation to ensure that development retains and enhances the sense of place, traditions, goals, and values of the local community.
- **Manage growth locally** in the New Hampshire tradition, but work with neighboring towns to achieve common goals and more effectively address common problems.

2. **Land Use:** Examines the state's role in land development and in funding projects and programs that affect land uses.

3. **Transportation:** Considers all pertinent modes of transportation and provides a framework of policies and actions which will provide for a safe and adequate transportation system to serve the needs of the state.

4. **Public Facilities:** Examines the projected needs of state institutions and coordinates with other governmental units, whether federal, county, local, special districts, or school districts, as to their needs as well.

5. **Housing:** Sets forth approaches to meeting the need for affordable housing.

6. **Economic Development:** Proposes actions and policies to suit the state's economic goals and needs, based on the current and projected economic strengths and weaknesses.

7. **Natural Resources:** Identifies trends in land protection, open space, farm land preservation and protection, and proposes policies and actions necessary at the state level to protect those resources which are perceived to be of statewide significance.

8. **Natural Hazards:** Identifies actions to improve the ability of the state to minimize damages from future disasters that affect land and property subject to such disasters.

9. **Recreation:** Assesses current and future recreation needs within the foreseeable future and identifies policies and a plan of action to support them at the state level.

10. **Utility and Public Service:** Details state level policies and actions necessary to assure adequate service to the citizens of the state.

11. **Regional Concerns:** Describes specific areas of the state with potentially unique concerns and identifies policies and actions which may reasonably be undertaken to assist in addressing those issues.

12. ***Cultural and Historic Resources:*** Identifies state policies and actions necessary to protect cultural and historic resources of statewide significance and assist in their rehabilitation or preservation, and generally assure their availability for future generations of state citizens.

13. ***Implementation:*** A long- range action program for assessing the effectiveness of each section of the plan.

State of New Hampshire
Office of Energy and Planning
(603) 271-2155 www.nh.gov/oep

Wisconsin State Code language- regarding regional planning commissions and regional plans

Can be found at: <http://www.legis.state.wi.us/statutes/Stat0066.pdf>

66.0309 Creation, organization, powers and duties of regional planning commissions.

(8) FUNCTIONS, GENERAL AND SPECIAL. (a) 1. The regional planning commission may take any of the following actions:

a. Conduct all types of research studies, collect and analyze data, prepare maps, charts and tables, and conduct all necessary studies for the accomplishment of its other duties.
b. Consistent with the elements specified in s. 66.1001, make plans for the physical, social and economic development of the region, and, consistent with the elements specified in s. 66.1001, adopt by resolution any plan or the portion of any plan so prepared as its official recommendation for the development of the region.

c. Publicize and advertise its purposes, objectives and findings, and distribute reports concerning these items.

d. Provide advisory services on regional planning problems to the local government units within the region and to other public and private agencies in matters relative to its functions and objectives, and may act as a coordinating agency for programs and activities of local units and agencies as they relate to its objectives.

2. All public officials shall, upon request, furnish to the regional planning commission, within a reasonable time, available information as it requires for its work. In general, the regional planning commission shall have all powers necessary to enable it to perform its functions and promote regional planning. The functions of the regional planning commission shall be solely advisory to the local governments and local government officials comprising the region.

(b) The regional planning commission shall make an annual report of its activities to the legislative bodies of the local governmental units within the region, and shall submit 2 copies of the report to the legislative reference bureau.

(9) PREPARATION OF MASTER PLAN FOR REGION. The regional planning commission shall have the function and duty of making and adopting a master plan for the physical development of the region. The master plan, with the accompanying maps, plats, charts, programs and descriptive and explanatory matter, shall show the commission's recommendations for physical development and shall contain at least the elements described in s.66.1001. The regional planning commission may amend, extend or add to the master plan or carry any part or subject matter into greater detail.

(10) ADOPTION OF MASTER PLAN FOR REGION. The master plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the region which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development. The regional planning commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may by resolution adopt a part or parts of the master plan, any part to correspond with one or more of the elements specified in

s.66.1001. The resolution shall refer expressly to the maps, plats, charts, programs and descriptive and explanatory matter, and other matters intended by the regional planning commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part of the adopted plan by the identifying signature of the chairperson of the regional planning commission and a copy of the plan or part of the adopted plan shall be certified to the legislative bodies of the local governmental units within the region. The purpose and effect of adoption of the master plan shall be solely to aid the regional planning commission and the local governments and local government officials comprising the region in the performance of their functions and duties.

Wisconsin State Code language- definition of comprehensive plan and framework for plans, including regional plans.

Can be found at: <http://www.legis.state.wi.us/statutes/Stat0066.pdf>

SUBCHAPTER X
PLANNING, HOUSING AND TRANSPORTATION

66.1001 Comprehensive planning. (1) DEFINITIONS. In this section:

(a) “Comprehensive plan” means a guide to the physical, social, and economic development of a local governmental unit that is one of the following:

1. For a county, a development plan that is prepared or amended under s. 59.69 (2) or (3).
2. For a city, village, or town, a master plan that is adopted or amended under s. 62.23 (2) or (3).
3. For a regional planning commission, a master plan that is adopted or amended under s. 66.0309 (8), (9) or (10).

(a) “Consistent with” means furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.

(b) “Local governmental unit” means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

(c) “Political subdivision” means a city, village, town, or county that may adopt, prepare, or amend a comprehensive plan.

(2) CONTENTS OF A COMPREHENSIVE PLAN. A comprehensive plan shall contain all of the following elements:

(a) *Issues and opportunities element.* Background information on the local governmental unit and a statement of overall objectives, policies, goals and programs of the local governmental unit to guide the future development and redevelopment of the local governmental unit over a 20-year planning period. Background information shall include population, household and employment forecasts that the local governmental unit uses in developing its comprehensive plan, and demographic trends, age distribution, educational levels, income levels and employment characteristics that exist within the local governmental unit.

(b) *Housing element.* A compilation of objectives, policies, goals, maps and programs of the local governmental unit to provide an adequate housing supply that meets existing and forecasted housing demand in the local governmental unit. The element shall assess the age, structural, value and occupancy characteristics of the local governmental unit’s housing stock. The element shall also identify specific policies and programs that promote the development of housing for residents of the local governmental unit and provide a range of housing choices that meet the needs of persons of all income levels and of all age groups and persons with special needs, policies and programs that promote

the availability of land for the development or redevelopment of low-income and moderate-income housing, and policies and programs to maintain or rehabilitate the local governmental unit's existing housing stock.

(c) *Transportation element.* A compilation of objectives, policies, goals, maps and programs to guide the future development of the various modes of transportation, including highways, transit, transportation systems for persons with disabilities, bicycles, electric personal assistive mobility devices, walking, railroads, air transportation, trucking and water transportation. The element shall compare the local governmental unit's objectives, policies, goals and programs to state and regional transportation plans. The element shall also identify highways within the local governmental unit by function and incorporate state, regional and other applicable transportation plans, including transportation corridor plans, county highway functional and jurisdictional studies, urban area and rural area transportation plans, airport master plans and rail plans that apply in the local governmental unit.

(d) *Utilities and community facilities element.* A compilation of objectives, policies, goals, maps and programs to guide the future development of utilities and community facilities in the local governmental unit such as sanitary sewer service, storm water management, water supply, solid waste disposal, on-site wastewater treatment technologies, recycling facilities, parks, telecommunications facilities, power-generating plants and transmission lines, cemeteries, health care facilities, child care facilities and other public facilities, such as police, fire and rescue facilities, libraries, schools and other governmental facilities. The element shall describe the location, use and capacity of existing public utilities and community facilities that serve the local governmental unit, shall include an approximate timetable that forecasts the need in the local governmental unit to expand or rehabilitate existing utilities and facilities or to create new utilities and facilities and shall assess future needs for government services in the local governmental unit that are related to such utilities and facilities.

(e) *Agricultural, natural and cultural resources element.* A compilation of objectives, policies, goals, maps and programs for the conservation, and promotion of the effective management, of natural resources such as groundwater, forests, productive agricultural areas, environmentally sensitive areas, threatened and endangered species, stream corridors, surface water, floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources consistent with zoning limitations under s. 295.20 (2), parks, open spaces, historical and cultural resources, community design, recreational resources and other natural resources.

(f) *Economic development element.* A compilation of objectives, policies, goals, maps and programs to promote the stabilization, retention or expansion, of the economic base and quality employment opportunities in the local governmental unit, including an analysis of the labor force and economic base of the local governmental unit. The element shall assess categories or particular types of new businesses and industries that are desired by the local governmental unit. The element shall assess the local governmental unit's strengths and weaknesses with respect to attracting and retaining businesses and industries, and shall designate an adequate number of sites for such businesses and industries. The element shall also evaluate and promote the use of environmentally contaminated sites for

commercial or industrial uses. The element shall also identify county, regional and state economic development programs that apply to the local governmental unit.

(g) *Intergovernmental cooperation element.* A compilation of objectives, policies, goals, maps, and programs for joint planning and decision making with other jurisdictions, including school districts, drainage districts, and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts, drainage districts, and adjacent local governmental units, and to the region, the state and other governmental units. The element shall consider, to the greatest extent possible, the maps and plans of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, with which the local governmental unit shares common territory. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.0301, 66.0307 or 66.0309. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

(h) *Land-use element.* A compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial and other public and private uses. The element shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land-use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 20 years, in 5-year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

(i) *Implementation element.* A compilation of programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinances, official maps, or subdivision ordinances, to implement the objectives, policies, plans and programs contained in pars. (a) to (h). The element shall describe how each of the elements of the comprehensive plan will be integrated and made consistent with the other elements of the comprehensive plan, and shall include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The element shall include a process for updating the comprehensive plan. A comprehensive plan under this subsection shall be updated no less than once every 10 years.

Vermont State Code language- regarding regional planning commissions and requirements to a regional plan

Can be found at: <http://www.michie.com/vermont/lpext.dll?f=templates&fn=main-h.htm&cp=vtcode>

§ 4345a. Duties of regional planning commissions.

A regional planning commission created under this chapter shall:

- (1) Promote the mutual cooperation of its municipalities and assist and advise municipalities, compacts and authorities within the region to facilitate economic development programs for the appropriate development, improvement, protection and preservation of the region's physical and human resources.
- (2) Advise municipal governing bodies with respect to public financing.
- (3) Provide technical and legal assistance to municipalities in the preparation and maintenance of plans, capacity studies and bylaws and in related implementation activities.
- (4) Cooperate with the planning, legislative or executive authorities of neighboring states, regions, counties or municipalities to promote coordination of planning for, conservation and development of the region and adjoining or neighboring territory.
- (5) Prepare a regional plan and amendments that are consistent with the goals established in section 4302 of this title, and compatible with approved municipal and adjoining regional plans. When preparing a regional plan, the regional planning commission shall:
 - (A) develop and carry out a process that will encourage and enable widespread citizen involvement;
 - (B) develop a regional data base that is compatible with, useful to, and shared with the geographic information system established under 3 V.S.A. § 20;
 - (C) conduct capacity studies;
 - (D) identify areas of regional significance. Such areas may be, but are not limited to, historic sites, earth resources, rare and irreplaceable natural areas, recreation areas and scenic areas;
 - (E) use a land evaluation and site assessment system, that shall at a minimum use the criteria established by the secretary of agriculture, food and markets under 6 V.S.A. § 8, to identify viable agricultural lands;
 - (F) consider the probable social and economic consequences of the proposed plan; and

(G) prepare a report explaining how the regional plan is consistent with the goals established in section 4302 of this title.

(6) Prepare implementation guidelines that will assist municipalities and the regional commission in developing a planning process that will attain, within a reasonable time, consistency with the goals established in section 4302 of this title. Guidelines, which may be revised at any time, shall be prepared initially by July 1, 1989.

(7) Prepare, in conjunction with the commissioner of the department of housing and community affairs, guidelines for the provision of affordable housing in the region, share information developed with respect to affordable housing with the municipalities in the region and with the commissioner of the department of housing and community affairs, and consult with the commissioner when developing the housing element of the regional plan.

(8) Confirm municipal planning efforts, where warranted, as required under section 4350 of this title and provide town clerks of the region with notice of confirmation.

(9) At least every five years, review the compatibility of municipal plans, and if the regional planning commission finds that growth in a municipality without an approved plan is adversely affecting an adjoining municipality, it shall notify the legislative body of both municipalities of that fact and shall urge that the municipal planning be undertaken to mitigate those adverse effects. If, within six months of receipt of this notice, the municipality creating the adverse effects does not have an approved municipal plan, the regional commission shall adopt appropriate amendments to the regional plan as it may deem appropriate to mitigate those adverse effects.

(10) Develop strategies specifically designed to assist municipalities in defining and managing growth and development that have cumulative impacts.

(11) Review proposed state capital expenditures for compatibility with regional plans.

(12) Assist municipalities to review proposed state capital expenditures for compatibility with municipal plans.

(13) Appear before district environmental commissions to aid them in making a determination as to the conformance of developments and subdivisions with the criteria of 10 V.S.A. § 6086.

(14) Appear before the public service board to aid the board in making determinations under 30 V.S.A. § 248.

(15) Hold public hearings.

(16) Before requesting review by the council of regional commissioners or the services of a mediator pursuant to section 4305 of this title, with respect to a conflict that has arisen between adopted or proposed plans of two or more regions or two or more municipalities located in different regions, appoint a joint interregional commission, in cooperation with other affected regional commissions for the purpose of negotiating differences.

(17) As part of its regional plan, define a substantial regional impact, as the term may be used with respect to its region. This definition shall be given due consideration, where relevant, in state regulatory proceedings.

(18) If a municipality requests the assistance of the regional planning commission in coordinating the way that its plan addresses projects of substantial regional impact with the way those projects are addressed by its neighbors' planning efforts, the regional planning commission shall convene an ad hoc working group to address the issue. The working group shall be composed of representatives of all municipalities likely to be affected by the plan in question, regardless of whether or not they belong to the same region. With the assistance of a facilitator provided by the regional planning commission, the ad hoc working group will attempt to develop a proposed consensus with respect to projects of substantial regional impact. If a proposed consensus is developed, the results of the consensus will be reported to the planning commissions and legislative bodies represented.

Added 1987, No. 200 (Adj. Sess.), § 21, eff. July 1, 1989; amended 1989, No. 280 (Adj. Sess.), § 4; 2003, No. 42, § 2, eff. May 27, 2003.

Vermont State Code language- components of a regional plan

Can be found at: <http://www.michie.com/vermont/lpext.dll?f=templates&fn=main-h.htm&cp=vtcode>

§ 4348a. Elements of a regional plan.

(a) A regional plan shall be consistent with the goals established in section 4302 of this title and shall include but need not be limited to the following:

(1) A statement of basic policies of the region to guide the future growth and development of land and of public services and facilities, and to protect the environment;

(2) A land use element, which shall consist of a map and statement of present and prospective land uses:

(A) indicating those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in [6 V.S.A. § 8](#)), residence, commerce, industry, public and semi-public uses, open spaces, and areas identified by the state, regional planning commissions or municipalities, which require special consideration for aquifer protection, wetland protection, or for other conservation purposes;

(B) indicating locations proposed for developments with a potential for regional impact, as determined by the regional planning commission, including but not limited to flood control projects, surface water supply projects, industrial parks, office parks, shopping centers and shopping malls, airports, tourist attractions, recreational facilities, private schools, public or private colleges and residential developments or subdivisions;

(C) setting forth the present and prospective location, amount, intensity and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and services;

(D) indicating those areas that have the potential to sustain agriculture and recommendations for maintaining them which may include transfer of development rights, acquisition of development rights or farmer assistance programs;

(3) An energy element, which may include an analysis of energy resources, needs, scarcities, costs and problems within the region, a statement of policy on the conservation of energy and the development of renewable energy resources, and a statement of policy on patterns and densities of land use and control devices likely to result in conservation of energy;

(4) A transportation element, which may consist of a statement of present and prospective transportation and circulation facilities, and a map showing existing and proposed highways, including limited access highways, and streets by type and character of improvement, and where pertinent, anticipated points of congestion, parking facilities, transit routes, terminals, bicycle paths and trails, scenic roads, airports, railroads and port facilities, and other similar facilities or uses, and recommendations to meet future needs for such facilities, with indications of priorities of need, costs and method of financing;

- (5) A utility and facility element, consisting of a map and statement of present and prospective local and regional community facilities and public utilities, whether publicly or privately owned, showing existing and proposed educational, recreational and other public sites, buildings and facilities, including public schools, state office buildings, hospitals, libraries, power generating plants and transmission lines, wireless telecommunications facilities and ancillary improvements, water supply, sewage disposal, refuse disposal, storm drainage and other similar facilities and activities, and recommendations to meet future needs for those facilities, with indications of priority of need;
- (6) A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features and resources;
- (7) A program for the implementation of the regional plan's objectives, including a recommended investment strategy for regional facilities and services based on a capacity study of the elements in this section;
- (8) A statement indicating how the regional plan relates to development trends, needs and plans and regional plans for adjacent municipalities and regions;
- (9) A housing element that identifies the need for housing for all economic groups in the region and communities. In establishing the identified need, due consideration shall be given to data gathered pursuant to subsection 4382(c) of this title. If no such data has been gathered, the regional planning commission shall gather it.
- (b) The various elements and statements shall be correlated with the land use element and with each other. The maps called for by this section may be incorporated on one or more maps, and may be referred to in each separate statement called for by this section.

Added 1981, No. 132 (Adj. Sess.), § 7; amended 1985, No. 188 (Adj. Sess.), § 9; 1987, No. 200 (Adj. Sess.), §§ 26, 27, eff. July 1, 1989; 1997, No. 94 (Adj. Sess.), § 3, eff. April 15, 1998.

Colorado State Code- language regarding regional plans and plan content

Can be found at: <http://www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm&cp=>

30-28-106. Adoption of master plan - contents.

(1) It is the duty of a county planning commission to make and adopt a master plan for the physical development of the unincorporated territory of the county. When a county planning commission decides to adopt a master plan, the commission shall conduct public hearings, after notice of such public hearings has been published in a newspaper of general circulation in the county in a manner sufficient to notify the public of the time, place, and nature of the public hearing, prior to final adoption of a master plan in order to encourage public participation in and awareness of the development of such plan and shall accept and consider oral and written public comments throughout the process of developing the plan.

(2) (a) It is the duty of a regional planning commission to make and adopt a regional plan for the physical development of the territory within the boundaries of the region, but no such plan shall be effective within the boundaries of any incorporated municipality within the region unless such plan is adopted by the governing body of the municipality for the development of its territorial limits and under the terms of paragraph (b) of this subsection (2). When a regional planning commission decides to adopt a master plan, the commission shall conduct public hearings, after notice of such public hearings has been published in a newspaper of general circulation in the region in a manner sufficient to notify the public of the time, place, and nature of the public hearing, prior to final adoption of a master plan in order to encourage public participation in and awareness of the development of such plan and shall accept and consider oral and written public comments throughout the process of developing the plan.

(b) Any plan adopted by a regional planning commission shall not be deemed an official advisory plan of any municipality or county unless adopted by the planning commission of such municipality or county.

(3) (a) The master plan of a county or region, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the county or regional planning commission's recommendations for the development of the territory covered by the plan. The master plan of a county or region shall be an advisory document to guide land development decisions; however, the plan or any part thereof may be made binding by inclusion in the county's or region's adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations after satisfying notice, due process, and hearing requirements for legislative or quasi-judicial processes as appropriate. After consideration of each of the following, where applicable or appropriate, the master plan may include, but shall not be limited to:

(I) The general location, character, and extent of existing, proposed, or projected streets or roads, rights-of-way, viaducts, bridges, waterways, waterfronts, parkways, highways, mass transit routes and corridors, and any transportation plan prepared by any metropolitan planning organization that covers all or a portion of the county or region and that the county or region has received notification of or, if the county or region is not located in an area covered by a metropolitan planning organization, any transportation plan prepared by the department of transportation that the county or region has received notification of and that applies to the county or region;

(II) The general location of public places or facilities, including public schools, culturally, historically, or archaeologically significant buildings, sites, and objects, playgrounds, forests, reservations, squares, parks, airports, aviation fields, and other public ways, grounds, open spaces, trails, and designated federal, state, and local wildlife areas;

(III) The general location and extent of public utilities, terminals, capital facilities, and transfer facilities, whether publicly or privately owned, for water, light, power, sanitation, transportation, communication, heat, and other purposes, and any proposed or projected needs for capital facilities and utilities, including the priorities, anticipated costs, and funding proposals for such facilities and utilities;

(IV) The general location and extent of an adequate and suitable supply of water. If the master plan includes a water supply element, the planning commission shall consult with the entities that supply water for use within the county or region to ensure coordination on water supply and facility planning, and the water supply element shall identify water supplies and facilities sufficient to meet the needs of the public and private infrastructure reasonably anticipated or identified in the planning process. Nothing in this subparagraph (IV) shall be construed to supersede, abrogate, or otherwise impair the allocation of water pursuant to the state constitution or laws, the right to beneficially use water pursuant to decrees, contracts, or other water use agreements, or the operation, maintenance, repair, replacement, or use of any water facility.

(V) The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, modification, or change of use of any of the public ways, rights-of-way, including the coordination of such rights-of-way with the rights-of-way of other counties, regions, or municipalities, grounds, open spaces, buildings, properties, utilities, or terminals, referred to in subparagraphs (I) to (IV) of this paragraph (a);

(VI) Methods for assuring access to appropriate conditions for solar, wind, or other alternative energy sources;

(VII) The general character, location, and extent of community centers, townsites, housing developments, whether public or private, the existing, proposed, or projected location of residential neighborhoods and sufficient land for future housing development for the existing and projected economic and other needs of all current and anticipated residents of the county or region, and urban conservation or redevelopment areas. If a county or region has entered into a regional planning agreement, such agreement may be incorporated by reference into the master plan.

(VIII) The general location and extent of forests, agricultural areas, flood control areas, and open development areas for purposes of conservation, food and water supply, sanitary and drainage facilities, flood control, or the protection of urban development;

(IX) A land classification and utilization program;

(X) Projections of population growth and housing needs to accommodate the projected population for specified increments of time. The county or region may base these projections upon data from the department of local affairs and upon the county's or region's local objectives.

(XI) The location of areas containing steep slopes, geological hazards, endangered or threatened species, wetlands, floodplains, floodways, and flood risk zones, highly erodible land or unstable soils, and wildfire hazards. For purposes of determining the location of such areas, the planning commission should consider the following sources for guidance:

(A) The Colorado geological survey for defining and mapping geological hazards;

(B) The United States fish and wildlife service of the United States department of the interior and the Colorado wildlife commission for locating areas inhabited by endangered or threatened species;

(C) The United States Army corps of engineers and the United States fish and wildlife service national wetlands inventory for defining and mapping wetlands;

(D) The federal emergency management agency for defining and mapping floodplains, floodways, and flood risk zones;

(E) The natural resources conservation service of the United States department of agriculture for defining and mapping unstable soils and highly erodible land; and

(F) The Colorado state forest service for locating wildfire hazard areas.

(b) Any master plan of a county or region which includes mass transportation shall be coordinated with that of any adjacent county, region, or other political subdivision, as the case may be, to eliminate conflicts or inconsistencies and to assure the compatibility of such plans and their implementation pursuant to this section and sections 30-11-101, 30-25-202, and 30-26-301.

(c) The master plan of a county or region shall also include a master plan for the extraction of commercial mineral deposits pursuant to section 34-1-304, C.R.S.

(d) The master plan of a county or region may also include plans for the development of drainage basins in all or portions of the county or region. When county subdivision regulations require the payment of drainage fees, as provided in section 30-28-133 (11), the master plan shall include the plan for the development of drainage basins.

(e) In creating the master plan of a county or region, the county or regional planning commission may take into consideration the availability of affordable housing within the county or region. Counties are encouraged to examine any regulatory impediments to the development of affordable housing.

(f) (Deleted by amendment, L. 2007, p. 612, § 1, effective August 3, 2007.)

(g) The master plan of a county or region may include designated utility corridors to facilitate the provision of utilities to all developments in the county or region.

(4) (a) Each county that has not already adopted a master plan and that meets one of the following descriptions shall adopt a master plan within two years after January 8, 2002:

(I) Each county or city and county that has a population equal to or greater than ten thousand and the population of which has demonstrated an increase of either:

(A) Ten percent or more during the calendar years 1994 to 1999; or

(B) Ten percent or more during any five-year period ending in 2000 or any subsequent year;

(II) Each county or city and county that has a population of one hundred thousand or more.

(b) To the extent the county does not meet a description specified in subparagraph (I) or (II) of paragraph (a) of this subsection (4), the counties of Clear Creek, Gilpin, Morgan, and Pitkin shall adopt a master plan within two years after January 8, 2002.

(c) The department of local affairs shall annually determine, based on the population statistics maintained by said department, whether a county is subject to the requirements of this subsection (4), and shall notify any county that is newly identified as being subject to said requirements. Any such county shall have two years following receipt of notification from the department to adopt a master plan.

(d) Once a county is identified as being subject to the requirements of this subsection (4), the county shall at all times thereafter remain subject to the requirements of this subsection (4), regardless of whether it continues to meet any of the descriptions in paragraph (a) of this subsection (4).

(5) A master plan adopted in accordance with the requirements of subsection (4) of this section shall contain a recreational and tourism uses element pursuant to which the county shall indicate how it intends to provide for the recreational and tourism needs of residents of the county and visitors to the county through delineated areas dedicated to, without limitation, hiking, mountain biking, rock climbing, skiing, cross country skiing, rafting, fishing, boating, hunting, shooting, or any other form of sports or other recreational activity, as applicable, and commercial facilities supporting such uses.

(6) The master plan of any county adopted or amended in accordance with the requirements of this section on and after August 8, 2005, shall satisfy the requirements of section 29-1-207, C.R.S., as applicable.

(7) Notwithstanding any other provision of this section, no master plan originally adopted or amended in accordance with the requirements of this section shall conflict with a master plan for the extraction of commercial mineral deposits adopted by the county pursuant to section 34-1-304, C.R.S.

Source: L. 39: p. 296, § 5. **CSA:** C. 45A, § 5. **CRS 53:** § 106-2-5. **L. 59:** p. 618, § 3. **C.R.S. 1963:** § 106-2-5. **L. 66:** p. 41, § 4. **L. 73:** pp. 467, 1054, §§ 4, 17. **L. 79:** (3)(a) amended, p. 1159, § 1, effective May 25. **L. 83:** (3)(d) added, p. 1236, § 4, effective April 23. **L. 97:** (3)(e) to (3)(g) added, p. 414, § 1, effective April 24. **L. 2000:** (1), (2)(a), and (3)(a) amended, p. 869, § 1, effective August 2. **L. 2001, 2nd Ex. Sess.:** (4) and (5) added, p. 21, § 1, effective January 8, 2002. **L. 2002:** (5) amended, p. 1036, § 83, effective June 1. **L. 2005:** (6) added, p. 223, § 2, effective August 8. **L. 2007:** IP(3)(a) and (3)(f) amended and (7) added, p. 612, § 1, effective August 3.